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COMMISSION ON HUMAN RIGHTS
Forty-eighth session
Agenda item 12

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL
AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Written statement submitted by the International Federation of
Human Rights, a non-governmental organization in consultative
status (category II)

The Secretary-General has received the following communication, which
is circulated in accordance with Economic and Social Council
resolution 1296 (XLIV).

[29 January 1992]

Violation of human rights in Guatemala

1. The International Federation of Human Rights and the Guatemalan Human Rights Commission, its affiliated organization in Guatemala, have decided to submit, once again, to the Commission on Human Rights of the United Nations, written documentation on the violations of human rights in Guatemala in view of the consistent pattern of such violations.
2. In connection with the rights to life, liberty and physical integrity, during the first year of the Government of Mr. Jorge Serrano Elias, 764 persons were extrajudicially executed. Of these, 84 had previously been disappeared detainees and 76 had been subjected to cruel, inhuman and degrading treatment; 83 Guatemalans disappeared during the same period and are still missing to

date; more than 540 persons, most of them members of popular organizations and organizations for the defence of human rights, received death threats, and attempts were made against the lives of 265 persons.

3. The systematic violations of human rights are keeping the population of Guatemala in a state of fear and insecurity, a situation which is even worse in the rural areas, where civil patrollers, military commissioners and soldiers commit acts of intimidation and abuses of power which prevent the enjoyment of other civil and political rights, such as the right to free association, for example.

4. Another fundamental right, the right to justice, is not respected either, since impunity continues to exist despite government statements announcing the punishment of the persons responsible for violations. As a result of economic and political pressure, investigations have begun into some relevant cases such as the extrajudicial executions of the anthropologist, Myrna Mack Chang (September 1990) and of the United States citizen Michael Devine (June 1990); the case of the illegal detention and torture of the United States nun, Diana Ortiz, and the massacre of 13 peasants in Santiago Atitlán, Department of Solola. The relatives of the victims of the repression have opened thousands of cases in the courts in all parts of the country without, however, the investigations being successful and leading to the prosecution of those responsible for acts violating human rights.

5. The peasantry, the religious sector, progressive political organizations, the communications media, groups defending human rights and the trade unions have been particularly affected by this situation. Thus, the extrajudicial executions of the Marist Brother, Moises Cisneros, and of the head of the pastoral social organization of the diocese of El Quiche, Julio Quevedo, and the attempted abduction of two nuns of the order of the Dominican Sisters of the Annunciation, clearly demonstrate the threats against the members of the religious orders which, because of their decision to give preference to the poor, are working very hard to help the dispossessed sectors.

6. In May 1991, an intensive campaign of intimidation was launched against the communications media: the planting of a very powerful bomb, which fortunately did not explode, in the building where most of the international news agencies have their offices, the raid on NOTIMEX, the intimidation of correspondents of the International Press Service, the anonymous telephone calls to the Guatemalan journalists of the newspapers La Hora, Prensa Libre and El Gráfico and the threats made against the radio journal, Guatemala Flash, constitute clear violations of the right of free expression, as specifically provided for in article 19 of the Universal Declaration of Human Rights.

7. Members of the Mutual Support Group of Relatives of Disappeared Persons (GAM), the National Coordinating Committee of Guatemalan Widows (CONAVIGUA), the Ethnic Communities Council "Runujel Junam" (CERJ) and the Peasant Unity Committee, in both urban and rural areas, continue to receive serious death threats, some of which have been carried out. The pretext for the threats is the supposed link between these organizations defending the interests of the poor and human rights and the Guatemalan National Revolutionary United Front (UNRG).

8. The persons engaging in violations of human rights continue to be members of the Guatemalan Army, members of the Civilian Self-Defence Patrols, under the control of the Army, military commissioners and members of the National Police and members of the clandestine repression apparatus (the so-called "death squads").

9. As for economic and social rights, Guatemala is in the worst crisis of its history. Poverty and extreme poverty, malnutrition and infant mortality, unemployment and underemployment, the housing deficit, illiteracy and the lack of health services affect the great majority of the population, but particularly the indigenous section.

10. In the context of the armed conflict of a non-international nature, initiated more than 30 years ago, the armed forces are still committing grave violations of international humanitarian law against the non-combatant civilian population, particularly in the departments where this conflict is acute (which are virtually all the departments of the Altiplano, in which most of the population lives). Through our affiliate, the Guatemalan Human Rights Commission, we have received reports of systematic bombing and machine-gunning in El Quiché Department of the internally displaced population, known as Comunidades de Población en Resistencia, as evidenced also by the independent Expert appointed by the Commission on Human Rights, Mr. Christian Tomuschat, who witnessed one of the bombing raids when he visited these communities in October 1991.

11. Despite the fact that the Guatemalan Government and Army have sat down at the negotiating table with the URNG to seek a political solution to the internal armed conflict, a fact that in itself constitutes recognition of the existence of the URNG and thus of the necessity to respect the standards laid down in the Geneva Conventions, the Government and the Army continue to deny this.

12. Two other facts also demonstrate the flagrant violation of the human rights of the Guatemalan population: the membership of and enforced incorporation into the so-called Civilian Self-Defence Patrols, organizations by which the Army controls the population, and discriminatory military conscription, both of which have a particular impact on indigenous men. Membership of these civilian patrols not only involves infringement of civil and political rights, but also has consequences for the rural family: the patrollers have to carry out unpaid work for the benefit of the military detachments, using time which could otherwise be employed for the agricultural work on which their survival depends. On the other hand, the Army has forced patrollers to become involved in violations of human rights, thus completely destroying their links with the community.

13. Military service is compulsory in Guatemala. However, conscription takes place only among the indigenous people and in a way which, in practice, constitutes kidnapping: young men are tracked down and detained by soldiers at traditional fiestas or on market days or are taken from buses without their relatives knowing what has happened to them or to what detachment they have been taken.

14. As mentioned above, negotiations have been taking place since April 1991 between the Guatemalan Government and Army and the Guatemalan National Revolutionary United Front to seek a solution to the internal armed conflict. The negotiations have encountered a major stumbling-block, precisely with respect to human rights, because of Government inflexibility. This proves the lack of political will to put an end immediately and effectively to the violations of human rights and to the impunity with which these have historically been carried out, as demanded not only by URNG but also by the great majority of Guatemalans, and to this the international community cannot remain indifferent.

15. At its 1991 session, the Commission on Human Rights once again gave a vote of confidence to the then newly-elected Government of Mr. Jorge Serrano Elías. Various Governments and non-governmental organizations expressed their disagreement with that decision. The International Federation of Human Rights now confirms that, as it indicated last year, the new Government was not worthy of such confidence. The factual information which it received throughout 1991 confirms that, in Guatemala, not only has a consistent pattern of gross violations of human rights continued, but the situation has even deteriorated. For the very credibility of the Commission on Human Rights of the United Nations, on whose support so many peoples rely for the minimum respect of their rights, and the credibility of the advisory services in the field of human rights, the Federation is of the opinion that the situation in Guatemala should be considered under agenda item 12 and that the Guatemalan Government and Army should be required to continue, with all seriousness and political will, the negotiations for a political solution to the internal armed conflict with the participation of all the sectors which, for several decades, have been demanding respect for human rights.



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COMMISSION ON HUMAN RIGHTS
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**QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM
OF DETENTION OR IMPRISONMENT, IN PARTICULAR: TORTURE AND OTHER
CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT**

Written statement submitted by the International Federation of
Human Rights, a non-governmental organization in consultative
status (category II)

The Secretary-General has received the following communication, which
is circulated in accordance with Economic and Social Council
resolution 1296 (XLIV).

[29 January 1992]

Systematic practices of torture and other cruel, inhuman
or degrading treatment in Kosovo

1. The International Federation of Human Rights and the Council for the Defence of Human Rights and Freedoms, its affiliated organization in Kosovo, wish to bring the question of the systematic practice of torture, as exemplified by the case of Kosovo, to the attention of the Special Rapporteur on torture.
2. Daily, for the last two years, the Council for the Defence of Human Rights and Freedoms has been receiving numerous complaints from the population concerning acts of torture and other cruel, inhuman or degrading treatment inflicted on it by the police and military personnel. These complaints highlight the extent of that practice in Kosovo. It is used in a systematic

manner not only against persons who have been arrested and detained at police stations but also during ordinary identity checks or searches. All these complaints have recently been published in a report containing the following allegations:

(a) On 5 June 1991, in the village of Cerce, the police assaulted Ymer Berisha and Sokol Osmanajn, who were not carrying their identity cards;

(b) On 8 June, at 5 a.m., about 15 policemen surrounded the house of Sinan Kosumit (60 years old), which is situated in an isolated spot 2 km from the village of Koretin (Kamenice). The policemen beat up his son Baki (18 years old) in front of his mother and his younger brothers. They ordered him to hand over his "hidden weapon". Having found no weapon on him, the policemen took Baki and his father to the police station, where they were beaten;

(c) On 24 June 1991, during an identity check in the centre of Deçan, the police arrested Dervish Ukaj and his wife Miliana Stijoviq, together with his brother-in-law Dragan and his sister-in-law. They detained them for four hours in the police station, where they were ill-treated, particularly Miliana who was accused of having "betrayed" her people by marrying an Albanian;

(d) On 7 July 1991, on the Gjakovë-Prishtinë road, in the vicinity of Bec, the police ill-treated and beat Musë Prenkë Nokaj (born in 1971) from Novosellë (Gjakovë) because he had not been able to reply in Serbian to the questions that he had been asked;

(e) On 9 July 1991, the police stopped Hasan Shala's vehicle in front of a petrol station at Deçan. After checking his papers, the officers struck him in the face in the presence of his wife and children because they had recognized him as being a former policeman. They then handcuffed him and took him to the police station, where he was beaten. A medical certificate details the injuries caused by the policemen;

(f) On 12 July 1991, the police reservists Bozha Marinkoviq and Bogi Noviq beat up Habib Ademaj, a mental patient, at the police station at Shtimje;

(g) On 15 July 1991, Rame Brahim Gorçaj, from the village of Studenicë (Istog), who works in Sweden, was arrested by the police. He was taken to the police station at Istog and subsequently to the police headquarters at Peje, where he was ill-treated from 9 a.m. to 1 p.m. in office No. 45 because he had refused to reveal the addresses of Albanian political refugees in Sweden. He remembers only the name of the Serbian inspector, Mr. Moma Pantiq from the village of Cerrcë (Istog). On his release, he consulted a physician who issued him with a medical certificate proving that he had been beaten;

(h) On 8 August 1991, the brothers Skënder and Shefqet Gashi from Sopniq (in the district of Rahovec) were beaten by drunken policemen on patrol;

(i) On 12 September, Ferid Shehu, a sociologist from Kaçanik, was detained at the police station for 15 hours. He was tied to the radiator, beaten and subjected to the threat of being thrown out of the window;

(j) From 9 to 16 September, Hysen Shala from Zeqishte (Rahovec), Adem Zhegrova, a miner working at the "Golesh" mine (Prishtine), Bashkim Mustafe Gashi from Lug i Baranit (Peje), Agim Ademi from Raushiq (Peje), Ibrahim Bytyqi, Hilmi Kastrati and Bajram Hasan Bytyqi from Prizren, and Sinan Mazreku from Dushanove (Prizren) were arrested, interrogated and beaten by the Serbian police before being released;

(k) On 30 September, the police interrogated and tortured the following persons: Avdi Kadri Shala from Kusuriq (Peje), Ose and Zenel Smajli from Ramun (Peje), Muhamet Berisha from Kryshec (Peje), Anush Qerim Dinaj from Raushiq (Peje), Rrustem A. Qerreti from Kryshec (Peje), Rexhep M. Kaliçani from Peje, Sadik M. Berisha from Vitimirice (Peje), Muje Lajçi and Halil Nikçi from Malaç (Peje), Sadik Sh. Gjonbalaç from Dubovik (Peje), Nebih Ademi and his 14-year-old son Ziadin from Kerpimeh, Bejtullah and Sabri Rexhepi from Prishtine and Sylejman Shabani, Fatmir Syla and Eset Maloku (14 years old), from Mitrovicë;

(l) On 14 October 1991, the following persons were summoned to the police station, where they were ill-treated and beaten: Jashar Kabashi, a professor at the Faculty of Arts at Prishtine and the teachers Ismail Bajraktari (Suhareke), Ferat Perçuku (Vuçiterne), Xhafer Murtezi, Avdyl Mifatari and Hamez Bimbashi (Skenderaj), Shemsedin Koshi, Asllan Deliu and Ibrahim Bala (Mitrovicë);

(m) On 25 November, around 2 p.m., at Vushterri, policemen burst into public buildings and ill-treated all the persons whom they found there. The policemen also arrested and ill-treated passers-by, including children;

(n) On 3 December, near Penuhe (district of Podujevë), at around 8.30 p.m., four policemen arrested Latif Talla, who was driving his lorry, and beat him until he lost consciousness;

(o) On 22 December, in the cattle market at Deçan, the police beat up Rasim Mulaj, from the village of Lluke e Epërme, and Mete Kasumaj (25 years old) from the village of Lloqan. The latter was bound and forced to run behind the police car;

(p) On 30 December 1991, at Krushevc (Serbia), the police checked the bus travelling from Rovinj (Slovenia) to Kosovo. The passengers Qamil Mazreku (born in 1967) from Prizren and Tafil Spahiu (born in 1965) from Kosterc (district of Serbice) were taken to the police station, where they were brutally tortured. The Serbian inspectors Zharko Stepanovic and Dejan Jovanovic apparently showed particular zeal in this regard.

3. The Council for the Defence of Human Rights and Freedoms in Kosovo and the International Federation of Human Rights are particularly concerned at the brutal manner in which numerous children and young persons are being treated,

especially in the schools. In the period March to December 1991, the Council recorded more than 60 cases in which children were ill-treated by the police, including:

(a) On Sunday, 2 June, the police arrested Fitim Sinani, Ramiz Ahmeti, Sami Rrustemi, Muhamet Bytyqi, Agim Sherifi and Bekim Xheladini, a group of fourth-grade students, outside the school at Banulle and took them to the police station, where they were beaten;

(b) On 4 June, Bedri Binaku and Afrim Bytyci, students at the Technical Centre at Prizren, were beaten by the Serbian police on their way to the school;

(c) On 24 June, Afrim Dobruna (18 years old) and Arber Toçana (15 years old) were arrested by the police, beaten and then taken to the police station, where they were again beaten;

(d) On 22 September, the police beat up the young Muhadin Bytyci from Mirash (Ferizaj) because he had refused to disclose to the police the place where young recruits were living;

(e) On 7 October, at Pejë, the police arrested, ill-treated and beat up the students Xhevdet Tahiraj, Besim V. Zekaj and Daut Krasniqi;

(f) On 14 October, at Pejë, the police ill-treated the following students: Xhemajl Sheremeti, Sadik, Mire Berisha, Selman Jusufaj, Sali Fetahu and Daut Krasniqi; A. Kaçanik, Neshat Luma and Iljaz Loku; A. Zheger, Bilall Halili, Nezir Neziri, Mustafa Musliu and Isa Hyseni;

(g) On 4 December, in the Qarok quarter at Zhur, soldiers rounded up 12 children from 9 to 13 years of age and took them to a distance of 2 km from their homes, where they were beaten and abandoned.

4. Teachers and members of trade-union and political movements have also been subjected to ill-treatment:

(a) On 8 August, the Serbian police beat the teacher Feriz Hyseni, from the village of Nerodime in the district of Ferizaj, in a public square;

(b) On 16 August, Shefqet Pllana, Shaqir Berisha, Eset Shabani, Mustafe Shala, Ilmi Berisha and Belgjyzare Derguti, who are teachers from Mitrovica, as well as Islam Sherifi from Prishtina, Hajriz Ramusholli from Manastirc (Ferizaj) and Dibran Hoti from Bradash (Podujeve), were arrested, interrogated and beaten by the Serbian police before being released;

(c) On 11 June 1991, Afrim Baktiri, a member of the Parliamentary Party, was summoned by the police to the bus station at Prishtinë, where he was beaten and ill-treated by the police without any reason. He was released after 30 minutes;

(d) On 14 June, the police took to the police station, for interrogation, 17 persons from various political parties who had gathered for a discussion at Deçan;

(e) On 1 July, at Deçan, during a silent march by Albanian workers who had been dismissed from their jobs, the police fired several shots and arrested and beat up the workers Zeke Prekalla and Gani Çekaj at the police station.

5. The officers guilty of these acts of brutality are acting in total impunity, in flagrant violation of articles 2, 3 and 5 of the Code of Conduct for Law Enforcement Officials and articles 2 and 11 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

6. The Council for the Defence of Human Rights and Freedoms in Kosovo and the International Federation of Human Rights remain at the disposal of the Special Rapporteur on torture for any additional information.



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**REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION
AND PROTECTION OF MINORITIES ON ITS FORTY-THIRD SESSION**

Written statement submitted by Baha'i International Community, Friends
World Committee for Consultation, International Association for
Religious Freedom, International Association for the Defence of
Religious Liberty, International Commission of Jurists, International
Council of Jewish Women, Lutheran World Federation and Pax Romana,
non-governmental organizations in consultative status (category II) and
World Union for Progressive Judaism, a non-governmental organization
on the Roster

The Secretary-General has received the following communication, which
is circulated in accordance with Economic and Social Council
resolution 1296 (XLIV).

[24 January 1992]

Statement by non-governmental organizations urging the
Commission on Human Rights to support Sub-Commission
recommendations on freedom of belief

1. At its forty-third session (1991), the Sub-Commission on Prevention of
Discrimination and Protection of Minorities adopted resolution 1991/3 which
recommended to the Commission on Human Rights:

"(a) The organization within the programme of advisory services, of a
seminar on the interrelationship which exists between the enjoyment of the
right to freedom of thought, conscience, religion and belief and the other
human rights and fundamental freedoms ...;

"(b) The organization ... of a global consultation on the positions and approaches of different religions and beliefs to human rights and fundamental freedoms".

2. As non-governmental organizations in consultative status with the Economic and Social Council we would like strongly to endorse these recommendations and encourage the Commission on Human Rights to approve them and to recommend that they be scheduled at the earliest opportunity. We believe both the seminar and the global consultation envisaged in the resolution will be a positive contribution to the elimination of intolerance and discrimination based on religion and belief.

3. The United Nations Declaration on this subject defines international standards in this field. The Special Rapporteur of the Commission assigned to this field, Mr. Angelo Vidal d'Almeida Ribeiro, reports on the implementation of the Declaration. The seminar and global consultation recommended by the Sub-Commission will provide opportunity for better understanding between non-governmental organizations, religious denominations and governmental representatives. Through dialogue new initiatives and approaches can be explored on ways of promoting religious tolerance at the local, national and international level.



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QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM
OF DETENTION OR IMPRISONMENT, IN PARTICULAR: QUESTION OF A DRAFT
OPTIONAL PROTOCOL TO THE CONVENTION AGAINST TORTURE AND OTHER
CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

Written statement submitted by the World Confederation of Labour and the World Federation of United Nations Associations, non-governmental organizations in consultative status (category I); by the American Association of Jurists, the Arab Organizations for Human Rights, the Baha'i International Community, Defence for Children International, the Latin American Federation of Relatives of Disappeared Detainees (FEDEFAM), the Friends World Committee for Consultation, Human Rights Advocates, the International Association of Democratic Lawyers, the International Association of Penal Law, the International Commission of Jurists, the International Council of Jewish Women, the International Fellowship of Reconciliation, the International Federation Terre des Hommes, the International League for the Rights and Liberation of Peoples, the International Indian Treaty Council, the International Movement for Fraternal Union among Races and Peoples, Pax Christi International, and the World Association for World Federation, non-governmental organizations in consultative status (category II), and by Centre Europe - Tiers Monde, the International Federation of Acat, and the World Organization against Torture, non-governmental organizations on the Roster

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[3 February 1992]

Question of a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

1. The Government of Costa Rica submitted last year a draft optional protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (E/CN.4/1991/66). This draft was drawn up by a group of international experts, in November 1990, who undertook to revise the draft optional protocol, proposed also by Costa Rica in 1980, adapting it to the present situation. The signatory NGOs feel that it is time for the Commission on Human Rights to examine the proposal of Costa Rica for at least the six following reasons.

1. First, quite simply because the idea of a system of preventing torture through visits to places of detention is an idea to which nobody can reasonably object:

- A body of independent experts would have the right to visit any place of detention and - in absolute confidentiality - submit any conclusions or recommendations it deemed fit to the authorities concerned;
- The rule of confidentiality would not be broken by the visiting body unless the authorities, after the visit, had shown a total lack of cooperation in the implementation of the improvements advised.

Honestly, who - in a forum such as the Commission on Human Rights - could say that such an idea does not deserve to be examined?

2. Second, this draft optional protocol fits perfectly within the present concerns of the United Nations in the field of Human Rights. The establishment of fact-finding procedures can be regarded as one of the most valuable developments in recent years of human rights activities within the United Nations. Legal standards - and the Convention against Torture is far from being the only instrument to prohibit torture - are unfortunately not sufficient in themselves to eradicate this scourge. Future solutions therefore would seem to lie in the fact-finding exercise. That is at least the opinion of the Special Rapporteur on torture, Mr. Peter Kooijmans, who emphasized in his 1991 report that a system of visits to places of detention would represent the final stone in the edifice which the United Nations has built for the protection against torture.

3. There are certainly other fact-finding mechanisms in the field of human rights, but they are generally used only after serious violations have been committed or are suspected to have been committed. Therefore, the third reason to start discussing the draft optional protocol is that, if compared to most of the other mechanisms, it would offer the advantages of being essentially preventive and to bring about a climate of confidence. Its advantages are in particular that:

(a) Under this system, preventive visits - unlike those at present carried out, mainly by the ICRC - would take place without having to receive authorization. As an optional protocol, i.e. an instrument which would be binding only for the States parties, it would allow visits without delay, and obviously the time element is crucial in the protection against torture;

(b) These visits would be made regularly, automatically, without any denunciation being made and without any State feeling under suspicion of practising torture or ill-treatment because it would be asked for permission to meet some of the detainees or visit its places of detention;

(c) It will be remembered that in the early days of the entry into force of the International Covenant on Civil and Political Rights, Governments which had to submit reports on how they were implementing that Covenant were apprehensive about being "condemned" by the Human Rights Committee. Today, the large majority of States regularly submit reports to the Committee and there is a real exchange, a real dialogue, between government representatives and experts, and rather than condemnation, States find advice, suggestions and encouragement forthcoming in this procedure. We therefore believe that if government representatives have been able to establish such a useful dialogue with United Nations bodies, they can have a better dialogue with a body responsible for a preventive mandate. In addition, this dialogue would not be only with the Government but also with various authorities responsible for detention (e.g. prison governors).

4. The fourth reason to examine this proposal is that it corresponds to the true interests of the States. Many Governments sincerely wish to improve the treatment of persons detained but, despite their goodwill, do not always manage to monitor what happens to them. We believe that the mechanism of preventive visits proposed by the draft optional protocol would be welcome by those Governments - at any event to the extent that this may be done discreetly and in so far as these same Governments are not publicly condemned.

5. The fifth good reason to examine this draft optional protocol is that it complements the efforts made, in particular by the Sub-Commission on the Prevention of Discrimination and Protection of Minorities, the Committee against Torture and the Special Rapporteur, to guarantee human rights in situations of exception. It is well known that most of the legal guarantees, such as habeas corpus and amparo, work well in normal circumstances, but that they tend not to be respected as soon as a state of emergency is proclaimed. But the ban on torture is non-derogable and the implementation of that right must be guaranteed in any circumstance. It is interesting to note that there is a provision in the draft which would offer the possibility for the body in charge of the visits of demanding that the person being held should be produced so as to ascertain that the individual was alive and decently treated, even though the place of detention was not officially registered as such. Thus, the draft protocol would also fit within the current efforts of the United Nations to combat enforced disappearances. It would by no means rival other instruments but would complement them.

6. Sixth, while it is commonly agreed today, that the stage of establishing rights may not be quite over, it is now imperative to devote all our efforts to the most effective possible implementation of such rights.

This will be one of the aspects to be discussed at the World Conference on Human Rights. That is precisely what is dealt with in this draft optional protocol. Therefore, the examination of the protocol has come at absolutely the right time.

2. It is not our intention to discuss here in detail the provisions of the draft in question. Should a Sub-Committee of the Committee against Torture be created? How would the system be financed? What would be the relations with other existing systems of visits? All that should be examined closely. We know that this is only a draft and that this draft has to be improved upon. Our request to the Commission on Human Rights now is to acknowledge the interest of a preventive mechanism, consisting of visits to places of detention and based on cooperation with the States concerned. The signatory NGOs therefore call upon the Commission on Human Rights to adopt a resolution to establish an open-ended working group so that this patient work can begin. Then, and only then, will it be time to argue and discuss the various provisions of the draft.
